GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

CAF & CS DEPARTMENT – Smt. T.Balasundari - Dy.Director (retired) regularize the suspension period from 20-06-2002 to 11-01-2005 and to pay pensionary benefits with interest as per A.P.AT. orders – Issued.

CONSUMER AFFAIRS FOOD & CIVIL SUPPLIES (VS) DEPARTMENT

G.O.RT.No. 77 Dated: 27-12-2017

Read the following:

1. G.O.Ms.No. 58, CAF & CS Drpartment, dated 02.08.2006.
2. G.O.Rt.No. 149, CAF & CS Department, dated 21.12.2006
3. G.O.Rt.No. 73, CAF & CS Department, dated 22.05.2008.
4. G.O.Rt.No. 40 CAF & CS Dated 03.06.2011.
5. G.O. Rt.3, CAF & CS (VS) Department dated 03.01.2017.
6. File No.CCS-AD31021/1/2017 of Commissioner of Civil Supplies, A.P., Vijayawada.
7. APAT orders dated:27-06-2016 in O.A No.4226 of 2014.

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Smt. T.Balasundari, DSO was suspended on 19.06.2002 vide G.O.Rt.No. 81 CAF & CS (CS.I) Department Dated 19.06.2002 and reinstated into service on 04.01.2005 vide G.O. Rt.No.2, CAF & CS (CS.I) Department, dated 04.01.2005. In the reference 1st read above, Government have permitted the A.C.B., to prosecute Smt.T.Balasundari, the A.O., in a Court of Law. In the reference 2nd read above, Articles of Charges were framed against the A.O, under Rule 20 of APCS (CC & A) Rules, 1991 for failure to obtain prior permission from the competent authority for acquisition of assets and failed to submit annual property returns and engaged in speculative business as per the advise of APVC. In the reference 3rd read above, Government have withdrawn the prosecution against the A.O and have appointed E.O. On receipt of enquiry report and after examination, orders were issued to drop further action against A.O in the reference 4th read above.

2. As per the orders in the reference 3rd read above, the Special Prosecutor has filed Criminal Miscellaneous Petition (No. 47 of 2015 in CC No.113 of 2015) for permission to withdraw the prosecution case. The Special Judge for SPE & ACB cases, Karimnagar has disposed to Criminal Miscellaneous Petition on 22.02.2016 and ordered that the special pp is permitted to withdraw the case of prosecution against Accused Officer Smt. T. Balasundari is discharged in CC No. 113/2015 on the file of this Court, from the prosecution since no charge has been framed till now against the Accused Officer. File No.355//2002.

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3. Government have examined the matter with reference to the orders of Hon'ble Spl. Judge for SPE and ACB cases Karimnagar on Dt. 22-02- 2016 issued in CMP No. 47 of 2015 in "CC .No. 113 of 2015 filed by the Telangana State through the inspector of Police, ACB, Nizamabad, Telangana State and issued orders to drop further action against Smt. T.Balasundari, Dy. Director (Retired) the charged officer in the case of disproportionate assets obtained through corrupt and dubious means in CC No.113 of 2015.

4. The Commissioner of Civil Supplies in the reference 6 th cited has requested to issue appropriate orders with regard to regularization of suspension period from 20-06-2002 to 11-01-2005 and also payment pensionary benefits to the applicant @ 8 % per annum w.e.f., 03-06- 2011 for release of pensionary benefits.

5. The Finance department who were consulted in the matter has advised to take specific view on the point of regularisation of suspension period in the first instance and then take necessary action for payment of interest on the pensionary benefits from the date of issue of final orders under Rule 9 (v)(b) of A.P. Revised Pension Rules, 1980 as ordered by the Hon'ble APAT vide reference 7th read above.

6. Government after careful examination of the matter have decided and hereby order to consider the period of suspension ie., from 20-06-2002 to 11-01-2005 of the applicant ie., Smt. T. Balasundhari, D.S.O., (Retd,) treated as period spent on duty, since her suspension is considered wholly unjustified and also ordered to pay her pensionary benefits with 8 % interest per annum w.e.f, 22-02-2016 ie., from the date of disposing of the prosecution case (CC.No.113 of 2015) against her.

7. The Commissioner of Civil Supplies, A.P., Vijayawada is requested shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.RAJSEKHAR
E.O.PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner, Civil Supplies, A.P., Vijayawada.
The PAO, A.P., Vijayawada.
Copy to
The Vigilance Commissioner, A.P.V.C., Velagapudi
The CAF & CS Department, Government of Telangana

// forwarded: by order //

SECTION OFFICER